

REMARKS

Status of Claims

Claims 1 – 24 were original in the application. Claims 25 and 26 had been added. Claims 1 – 26 are cancelled. Claims 27 – 38 are new, added and are submitted for examination on the merits.

The previous claims at issue were rejected over Pyles US 2002/0055418 as affirmed by the Board. The prior claims were broadly enough stated to include stress reduction exercises without any limitation. Reading the claims with an extremely broad interpretation, the Board then found that physical exercise for cardiovascular purposes as disclosed by Pyles was inherently stress reducing and thus included with the scope of the prior claims. The Board thus focused on physical or physiological stress markers to fall within the scope of the prior claims, thus making Pyles a relevant reference to those claims.

The Board **did not find** that Pyles dealt with emotional or neurological tension in any sense by a system or method for delivering nonphysical tasks to reduce emotional or neurological tension.

The newly added claims are directed inter alia to a system having a **programmably controlled computer means** coupled to the computer network **for executing an interactive program to generate a modifiable treatment of mental tasks for reduction of emotional or neurological tension** personalized to the user in claim 27. The reduction of emotional or neurological tension is a portion of the

functional phrase defining the means under 35 USC 112 and is not nonfunctional descriptive material to which no patentable weight can be given.

The newly added claims are directed inter alia to a method including the step of generating a modifiable treatment of mental tasks for reduction of emotional or neurological tension personalized to the user to be performed interactively by the user by use of the client computer based on the data indicative of emotional or neurological tension in the user in claim 33.

The newly added claims are directed inter alia to a system having a **programmably controlled computer means** coupled to the computer network **for executing an interactive program to generate a dynamically modified of mental tasks comprised of tasks for breathing, relaxation, concentration, or meditation for reduction of emotional or neurological tension personalized to the user** in claim 37. The reduction of emotional or neurological tension is a portion of the functional phrase defining the means under 35 USC 112 and is not nonfunctional descriptive material to which no patentable weight can be given.



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